

REMARKS

This communication is responsive to the Office Action mailed August 23, 2007 and filed with an RCE included herewith.

The Office Action reports that claim 1 was rejected as being obvious over Barclay (U.S. 5,960,399) in view of Brown (U.S. 6,587,822).

In the Office Action on page 2, it is reported that "The examiner does not see how the mere fact that the combined teaching of Barclay and Brown produces two speech recognizers criticizes, discredits, or otherwise discourages the solution claimed."

With this Amendment, applicants have further clarified that, with respect to the first client device and the second client device, a single or the same speech recognizer is used. Since it is clear the cited combination of references realizes a system having two speech recognizers, all the features recited in the claims are simply not met, and furthermore, not obvious in view of these references. It is believed a system having a single speech recognizer that can serve two different types of client devices is superior to a system having two for the reasons including that the system is less complicated, requires less hardware to implement and furthermore, does not require maintaining two separate speech recognizers.

For the record, applicants provide a summary of the reasons for allowance as stated in applicants' prior response. Briefly, Barclay is cited for disclosing a server/client system for processing speech data comprising a web server, a client device and a recognition server, but it is acknowledged that Barclay does not disclose a second client device configured to record speech data and adapted to send speech data to the recognition server, wherein the second client device comprises a telephone and a voice browser. Brown is cited for disclosing such a device.

Applicant respectfully disagrees that the cited combination of Barclay and Brown teach the invention recited by claim 1 because Brown is being summarily held out as showing a voice browser and phone, but the complete context in which these devices are being used is being ignored. Clearly, from FIG. 2. of Brown the voice browser 110 is present in the IVR platform 102, but more importantly, the IVR platform 102 also includes a speech recognizer 122. It is this combined system, that is adapted to receive input from a user using a device 108, which can be a telephone in order to access and render websites from servers 106-1 through 106-N. Thus, Brown teaches that to serve audio devices like telephones one uses an IVR platform that includes a voice browser and a speech recognizer. This construction does not teach, and in fact teaches away from the language recited in claim 1, i.e. wherein the second client device includes a voice browser but "the second client device is adapted to send the input speech data to the recognition server remote from the second client device."

It is therefore submitted that the combination of teachings found in Barclay and Brown would not teach or suggest the invention as recited in claim 1, but rather a system having a speech recognizer 80 as found in Barclay to serve PCs having visual browsers, while audio devices such as telephones would be served by an IVR platform having both a voice browser and a speech recognizer, a system where not only two speech recognizers are present, but also where the voice browser and the second speech recognizer are together. Clearly, the invention of claim 1 is not only patentably distinguishable, but in many respects superior by eliminating at least one speech recognizer.

In view of the foregoing, amended claim 1 is believed allowable. Dependent claims 8, 9 and 14-25 depend directly or indirectly from claim 1 and are believed separately patentable.

Claim 26 was also rejected based on the combination of Barclay and Brown. Claim 26 has features similar to claim 1; however, this claim also recites that a wide area network is present operatively connecting the recognition server, web server, first client device and second client device (which has a browser). Thus, this language further clarifies that the second client device is clearly remote from the recognition server and the browser. For these reasons and the reasons provided above for claim 1, which are applicable to claim 26, claim 26 is believed allowable and dependent claims 27-30 are believed separately patentable, and thus, also allowable.

Independent claim 34 recites features similar to claim 1 as well as includes additional features related to when no recognition has occurred. These features are similar to features recited in claims of patent application 09/960,229. It is respectfully believed that the combination of features recited by this claim, place this claim in condition for allowance. Dependent claims 36-39 are believed separately patentable and allowable.

The foregoing remarks are intended to assist the Office in examining the application and in the course of explanation may employ shortened or more specific or variant descriptions of some of the claim language. Such descriptions are not intended to limit the scope of the claims; the actual claim language should be considered in each case. Furthermore, the remarks are not to be considered exhaustive of the facets of the invention which are rendered patentable, being only examples of certain advantageous features and differences, which applicant's attorney chooses to mention at this time. For the foregoing reasons, applicant reserves the right to submit additional evidence showing the distinction between applicant's invention to be unobvious in view of the prior art.

Furthermore, in commenting on the references and in

order to facilitate a better understanding of the differences that are expressed in the claims, certain details of distinction between the same and the present invention have been mentioned, even though such differences do not appear in all of the claims. It is not intended by mentioning any such unclaimed distinctions to create any implied limitations in the claims.

In view of the foregoing, reconsideration of the application as amended is requested. Favorable action upon all pending claims is solicited.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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